

HARASSMENT COMPLAINANT INTERVIEW

Name: _____

Position: _____

Work Location/School: _____

Date of Interview: _____

Interviewer Name: _____

Interviewer Title: _____

INTERVIEW QUESTIONS

1. **Elicit specific details regarding the alleged harassment.** (NOTE: The interviewer may skip specific questions if the information is given as part of the answer to another question. Likewise, the interviewer may need to ask additional or probing questions to elicit complete information.)

Please describe the type of behavior that you felt constituted harassment. _____

How often did this type of behavior occur? _____

Exactly what was said or done? _____

Where did this occur? _____

Were you touched at any time? Where were you touched? _____

What were the approximate dates that the behavior occurred? _____

What was the time period over which the behavior occurred? _____

Were there any other similar occurrences of this behavior in the past? _____

Are you aware of any similar behavior by the accused towards another employee or student?

2. **Get the specific context in which the conduct occurred, including:**

Exactly where (specific location(s)) did the behavior occur? _____

Did the conduct occur at a school-related function, during the school or work day, or after hours?

3. **Determine the effect of the conduct on the complainant.** (Emphasize that although some of the questions may at first seem to be accusatory to the complainant, the purpose of the questions is to gather complete information related to the complaint, and are not meant to embarrass or intimidate the complainant.)

What effect has this behavior had on you? In terms of working relationships or in terms of learning? In terms of work/school behaviors?

Did you ever react to the behavior as a joke? _____

Was the behavior really unwelcome? Did you indicate in any way that the behavior was unwelcome?

Did the behavior embarrass, frighten, or humiliate you? _____

4. **Determine whether or not persons of the opposite sex from the complainant were subjected to similar conduct or were treated differently by the alleged harasser.**

5. **Determine the time relationship between the occurrence of the alleged conduct, _____**

its effect on the complainant, and _____

the time when the complainant made the report. _____

If there was a time lag between the occurrence and the report, find out why the complainant waited so long before reporting the situation.

Prepare a detailed chronology. Analyze whether there might have been certain events that triggered the complaint; for example, a denial of promotion, pay raise, transfer, grade change, rejection. Determine whether there were any possible motives on the part of the complainant.

6. **Find out what the complainant wants.**

How do you want the situation resolved? _____

Do you believe that you can continue to work for (or with) the accused? _____

Can you be productive under this set of circumstances? _____

Will it be embarrassing or awkward for you under this set of circumstances? _____

Do you feel that you need counseling? _____

Are there any other comments you would like to make or questions you would like to ask?

7. **Explain to the complainant that the charges are serious and that the District will conduct a thorough investigation before reaching any conclusions, and that s/he will not be retaliated against for making the complaint.**
8. **Make no statements about the accused's character, job, or school performance or family life.** If the accused were to sue for defamation, this might be enough evidence for a finding of malice. Malice nullifies the "qualified privilege" employers have to internally discuss these kinds of situations without incurring liability.